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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Woodrow C. Monte	Docket No.:	32166.00002
Application No.:	09/747,078	Group Art Unit:	1617
Filing Date:	December 21, 2000	Examiner:	Shaojia A. Jiang
TITLE:	ADDING HEAT-SENSITIVE BIOLOGICALLY ACTIVE MATERIAL TO FOOD OR COSMETIC COMPOSITIONS		

RESPONSE PURSUANT TO 37 C.F.R. §1.116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Applicant responds to the Office Action mailed on January 28, 2001 as follows:

I. Amendment.

In the Claims.

Please delete claims 42-46.

II. Remarks.

Upon entry of this Amendment, claims 2-9, 11 and 13-41 are pending. All of the claims stand rejected (1) under 35 U.S.C. §112, paragraph 2, as indefinite, and (2) as being unpatentable over U.S. Patent No. 5,707,843 ("Monte '843") in view of U.S. Patent Nos. 5,578,336 and 5,424,299, all to Monte. Basically, the Examiner has maintained the same rejections asserted in the first Office Action, but (1) has provided no objective reasoning as to why the claims are indefinite, especially in view of the fact that the alleged indefinite terms are defined in the specification and are known to those skilled in the art, and (2) has misread the Monte '843 reference.

Application No. 09/747,078